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February 7, 2023

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF NEW YORK

CASE# 2:21-cv-05400

-----x

JONATAN BARAHONA and HECTOR HERNANDEZ,

Plaintiffs,

-against-

PARADISE TREE SERVICE & LANDSCAPE CORP. and

WILLIAM NIETO,

Defendants.

-----x

1757 Veterans Highway

Islandia, New York

February 7, 2023

11:00 a.m.

Deposition of the Defendant

WILLIAM NIETO (Present) pursuant to Rule 30 of  
the Federal Rules of Civil Procedure, before  
Robert S. Barletta, a Notary Public of the State  
of New York.

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(1) **Nieto**

(2) Q. Is it fair to say that the \$150 was  
(3) intended to compensate Jonatan for either six or  
(4) eight hours of work?

(5) **MR. INGOGLIA: Hold on. Read that back.**

(6) **(Whereupon, the last question was read**  
(7) **back by the reporter.)**

(8) **A. Correct.**

(9) Q. Was that \$150 intended to compensate him  
(10) for working more than eight hours a day?

(11) **A. No.**

(12) Q. Did you hire Jonatan in 2017?

(13) **A. Yes.**

(14) Q. What date?

(15) **A. I don't remember at this moment.**

(16) Q. Is Jonatan still employed by Paradise?

(17) **A. No.**

(18) Q. When did he stop working?

(19) **A. Almost sure it was in June 2021.**

(20) Q. When did Hector work for you?

(21) **A. September 2019. He worked two weeks**  
(22) **with me. Then he came back to work for me in 2020**  
(23) **for about three more weeks because he also has his**  
(24) **job in construction.**

(25) Q. What construction job does he have?

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(1) Nieto

(2) **A. I just know his job is in construction.**  
(3) **He works for different companies.**

(4) Q. Do you have any knowledge of who  
(5) employed Hector in 2019 or 2020 other than you?

(6) **A. No.**

(7) Q. How do you know he worked in  
(8) construction?

(9) **A. He told me.**

(10) Q. How much did you pay Hector?

(11) **MR. INGOGLIA: When?**

(12) Q. When he started working for you.

(13) **A. In 2019, it was normal to pay \$200 for**  
(14) **six or seven or eight hours of work.**

(15) Q. Did you, in fact, pay Hector \$200 for  
(16) anywhere between six and eight hours of work in  
(17) 2019?

(18) **A. Correct.**

(19) Q. Was that \$200 intended to compensate  
(20) Hector for any more than eight hours?

(21) **A. No.**

(22) **(Whereupon, Mr. Steven Moser receives a**  
(23) **phone call and places it on the speakerphone.)**

(24) **MR. MOSER: Good afternoon. We are**  
(25) **continuing with the deposition and would**